

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America) Cr. No. 02-435-HMH
) C.A. No. 6:05-380-HMH
 vs.)
) **OPINION & ORDER**
)
Calvin Rosemond,)
)
Movant.)

This matter is before the court on Calvin Rosemond’s (“Rosemond”) pro se “Request For Transcripts of April 19, 2005 Hearings On Judicial Bias.” (Mot. for Tr. 1.) This court construes pro se motions liberally, and such pro se motions are held to a less stringent standard than those drafted by attorneys. See Gordon v. Leeke, 574 F.2d 1147, 1151 (4th Cir. 1978). The court construes Rosemond’s motion as one for a transcript at the Government’s expense. However, even if the court applies this less stringent standard, Rosemond’s request for a transcript of the April 19, 2005, hearing in United States v. Brown, No. 04-517 (D.S.C. April 19, 2005), at the Government’s expense cannot be granted. A prisoner who requests free copies of records in his or her criminal case, whether it is a state case or a federal case, must show a particularized need for such records. Jones v. Superintendent, Virginia State Farm, 460 F.2d 150, 152-153 (4th Cir. 1972), reh’g granted, 465 F.2d 1091, 1094 (4th Cir. 1972) (adhering to prior opinion and denying rehearing en banc); Morin v. United States, 522 F.2d 8, 9 (4th Cir. 1975) (applying Jones to federal prisoner). Rosemond has not shown a particularized need for the transcript of the April 19, 2005, hearing in United States v. Brown or even how that case relates to the court’s denial of

his motion pursuant to 28 U.S.C. § 2255 on March 22, 2005. Accordingly, Rosemond's motion for a copy of transcript at the Government's expense is denied. Rosemond may obtain a copy of the transcript from the court reporter at his own expense, if he so desires.

It is therefore

ORDERED that Rosemond's motion for transcripts of the April 19, 2005, hearing in United States v. Brown is denied.

IT IS SO ORDERED.

s/ Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
January 20, 2006

NOTICE OF RIGHT TO APPEAL

Movant is hereby notified that he has the right to appeal this order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.